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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/180,943	11/18/1998	MASAHIRO NOZAKI	AD-6506	9289

23906 7590 05/03/2002

E I DU PONT DE NEMOURS AND COMPANY  
LEGAL PATENT RECORDS CENTER  
BARLEY MILL PLAZA 25/1128  
4417 LANCASTER PIKE  
WILMINGTON, DE 19805

EXAMINER
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RAJGURU, UMAKANT K

ART UNIT	PAPER NUMBER
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1711

DATE MAILED: 05/03/2002

20

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.		Applicant(s)	
Examiner		Group Art Unit	

—The MAILING DATE of this communication appears on the cover sheet beneath the correspondence address—

## Period for Response

A SHORTENED STATUTORY PERIOD FOR RESPONSE IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a response be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for response specified above is less than thirty (30) days, a response within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for response is specified above, such period shall, by default, expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to respond within the set or extended period for response will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).

## Status

- ☒ Responsive to communication(s) filed on Nov 9, 2001 (paper nos 18 & 19)
- ☐ This action is **FINAL**.
- ☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

## Disposition of Claims

- ☒ Claim(s) 5-7 is/are pending in the application.
- Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- ☒ Claim(s) 5-7 is/are rejected.
- ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- ☐ Claim(s) \_\_\_\_\_ are subject to restriction or election requirement.

## Application Papers

- ☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.
- ☐ The proposed drawing correction, filed on \_\_\_\_\_ is ☐ approved ☐ disapproved.
- ☐ The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.
- ☐ The specification is objected to by the Examiner.
- ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. § 119 (a)-(d)

- ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
- ☐ All ☐ Some\* ☐ None of the CERTIFIED copies of the priority documents have been
- ☐ received.
- ☐ received in Application No. (Series Code/Serial Number) \_\_\_\_\_.
- ☐ received in this national stage application from the International Bureau (PCT Rule 1.7.2(a)).

\*Certified copies not received: \_\_\_\_\_

## Attachment(s)

- ☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). \_\_\_\_\_
- ☒ Notice of References Cited, PTO-892
- ☐ Notice of Draftsperson's Patent Drawing Review, PTO-948
- ☐ Interview Summary, PTO-413
- ☐ Notice of Informal Patent Application, PTO-152
- ☐ Other \_\_\_\_\_

Office Action Summary

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1. An RCE has been filed on Nov. 01, 2001 (paper no. 18).
2. The numbering of claims is not accordance with 37 CFR 1.126 which requires the original numbering of the claims to be preserved throughout the prosecution. When claims are canceled, the remaining claims must not be renumbered. When new claims are presented, they must be numbered consecutively beginning with the number next following the highest numbered claims previously presented (whether entered or not).

Misnumbered claims 1-3 are been renumbered 5-7.

3. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.
4. Claims 5-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hawley's condensed dictionary (twelfth edition, 1993, pages 491, 521 and 930) in view of Weber et al (U.S.P. 5710216) and Paschke et al (U.S.P. 5292805).

Weber and Paschke have been cited in Office Action, paper no. 8.

Polyamide is disclosed by Hawley on page 930. A filler is described on page 521 and an ethylene-propylene terpolymer is shown on page 491. These compounds read on those that are instantly claimed.

Hawley's dictionary fails to disclose the specific limitations of instant claims viz melting point of polyamide of at least 290° C, ratio by weight of filler to impact modifier and melt viscosity of the composition made using above three ingredients.

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Weber discloses molding materials containing aromatic copolyamide, filler and impact modifier (abstract, col.1, lines 5-18). Melting points of said polyamides are from 290° -340° C (col. 3, lines 37-42). Patentee uses 0-60% by wt of fillers and 0-40% by wt of impact modifiers (col. 16, lines 39-42) based on the total wt of the composition. Thus the ratio by wt of filler to impact modifier reads on the instantly claimed one.

Paschke discloses blends of filled polyphthalamide comprising glass fibers as fillers, polypropylene and carboxyl-modified polypropylene. Melt viscosity of such a blend at 325° C and at a shear rate of 1000/sec falls in the range of 1741 to 3464 (table III in col. 11).

It would therefore have been obvious to prepare a composition using only three ingredients disclosed by Howley. It would also be obvious (from Weber) to use a polyamide of a melting point of 290° C or greater and to use the filler and impact modifier in a ratio that falls within claimed range in order to produce molded articles with better impact strength at elevated temps in high humidity environment. Additionally it would have been obvious (from Paschke) to vary the melt viscosity of the composition to set it to the claimed value in order to achieve ease in processing of that composition.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to U.K. Rajguru whose telephone number is (703) 308-3224. The examiner can normally be reached on Monday-Friday from 9:30 am to 6:00 pm.

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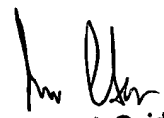
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jim Seidleck, can be reached on (703) 308-2462. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9310/9311.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0661.

Rajguru:mv/dh

April 18, 2002

April 30, 2002



James J. Seidleck  
Supervisory Patent Examiner  
Technology Center 1700